

## Remarks

Claims 1-14 are present in this application and are under consideration.

There are no allowed claims.

Claims 1-9 and 11-13 are rejected under 35 USC 103(a) as being unpatentable over DE3903218 in view of Keller, et al., U.S. Pat. No. 5,574,082, JP62158737 and Fukui, et al., U.S. Pat. No. 5,100,930.

Claims 1-14 are rejected under 35 USC 103(a) as being unpatentable over DE '218 in view of Keller, JP '737 and Fukui and further in view of Tamura, et al., U.S. Pat. No. 6,096,814.

The further reference is cited as disclosing a masterbatch.

Applicants respectfully rebut these rejections.

Applicants take this opportunity to submit a second Rule 132 Declaration by Dr. Andreas Thürmer.

The Examiner has maintained that the comparisons in the first Thürmer Declaration are not supportive of the patentability of the present claims. The Examiner argued that the additional component of the DE '218 reference, TNPP, must be present in the inventive Example. TNPP is tris(nonylphenyl)-phosphite. Such a comparison would show whether the unexpected results were due to the higher amount of ATP or the omission of TNPP.

The requested comparison is present in the second Thürmer Declaration. The second Declaration is exactly as the first, with the further inclusion of Sample 4. Sample 4 is another formulation of the present invention where 50 parts of TNPP are present. Sample 4 may now be compared directly to Comparative Samples 1 and 2 of the cited DE '218 reference.

Sample 4 performs similarly to Sample 3, also of the present invention. Both samples are unexpectedly superior to the prior art formulations represented by Samples 1 and 2. Samples 3 and 4 are superior in regard to both melt flow and degree of yellowing after multiple extrusion passes.

Applicants submit that the second Thürmer Declaration shows unexpected results of formulations of the present invention vs. the disclosure of the cited art, and that the results fully support the present claims.

Applicants submit that in light of this discussion and the results of the second Thürmer Declaration, that the present 35 USC 103(a) rejections are addressed and are overcome.

The Examiner is kindly requested to reconsider and to withdraw the present rejections.

Applicants submit that the present claims are in condition for allowance and respectfully request that they be found allowable.

Respectfully submitted,



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Attachments: Petition for a one month extension of time  
Second Thürmer Rule 132 Declaration